

By: Hinojosa

S.B. No. 951

A BILL TO BE ENTITLED

AN ACT

relating to improvements to the Texas Medicaid Provider Procedures Manual designed to prevent fraud, waste, or abuse in the provision of Medicaid dental services.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. DEFINITIONS. In this Act:

(1) "Commission" means the Health and Human Services Commission.

(2) "Executive commissioner" means the executive commissioner of the commission.

(3) "Medicaid" means the medical assistance program established under Chapter 32, Human Resources Code.

(4) "Work group" means the work group established under Section 2 of this Act.

SECTION 2. WORK GROUP ON IMPROVING TEXAS MEDICAID PROVIDER PROCEDURES MANUAL PROVISIONS RELATING TO DENTAL SERVICES. (a) The executive commissioner shall establish a work group for the purpose of providing recommendations to improve the Texas Medicaid Provider Procedures Manual in a manner that prevents the incidence of fraud, waste, or abuse in the provision of Medicaid dental services.

(b) The executive commissioner shall appoint the members of the work group, which must include:

(1) a representative of the commission;

(2) the dental director appointed under Section

1 531.02114, Government Code;

2 (3) a representative of the commission's office of
3 inspector general;

4 (4) at least one stakeholder to represent each of the
5 following interests:

6 (A) managed care organizations that contract
7 with the commission to provide Medicaid dental services;

8 (B) providers of Medicaid dental services; and

9 (C) dental academia; and

10 (5) additional stakeholders or other persons the
11 executive commissioner determines appropriate.

12 (c) The commission shall provide administrative support to
13 the work group.

14 (d) The executive commissioner shall appoint a member of the
15 work group to serve as the presiding officer.

16 (e) The work group shall meet at the call of the presiding
17 officer.

18 (f) The work group shall:

19 (1) review all provisions in the Texas Medicaid
20 Provider Procedures Manual related to the provision of dental
21 services;

22 (2) determine which provisions can be eliminated or
23 changed to prevent fraud, waste, or abuse in the provision of dental
24 services, including changes related to the use of dental procedure
25 codes by providers; and

26 (3) make recommendations to the executive
27 commissioner for improving the Texas Medicaid Provider Procedures

1 Manual to prevent fraud, waste, or abuse in the provision of dental
2 services under Medicaid.

3 SECTION 3. REPORT. Not later than December 31, 2022, the
4 work group shall submit a report on the work group's
5 recommendations to the executive commissioner.

6 SECTION 4. ACTION ON REPORT. On receiving the work group's
7 recommendations, the executive commissioner shall:

8 (1) consider immediately adopting the recommendations
9 of the work group that do not require legislative action; and

10 (2) if implementation of a recommendation requires
11 legislative action, submit to the legislature a copy of the report
12 described by Section 3 of this Act together with the executive
13 commissioner's recommendations for any legislative action.

14 SECTION 5. ABOLISHMENT OF WORK GROUP; EXPIRATION. On
15 January 1, 2023:

16 (1) the work group is abolished; and

17 (2) this Act expires.

18 SECTION 6. FEDERAL AUTHORIZATION. If before implementing
19 any provision of this Act a state agency determines that a waiver or
20 authorization from a federal agency is necessary for implementation
21 of that provision, the agency affected by the provision shall
22 request the waiver or authorization and may delay implementing that
23 provision until the waiver or authorization is granted.

24 SECTION 7. EFFECTIVE DATE. This Act takes effect September
25 1, 2021.